

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Troy MacDermott,

Civil No. 24-CV-1234 (DWF/DJF)

Plaintiff,

v.

ORDER

Benjaman Shelabarger, a/k/a
Benjamin Shelabarger,

Defendant.

This matter is before the Court on Plaintiff Troy MacDermott’s self-styled Motion to Request for Stay (“Motion”) (ECF No. 105). Mr. MacDermott asks the Court “to stay the discovery period deadline” so that he may “seek and obtain evidence from an incident that occurred on March 19, 2025” which he believes constituted “witness tampering.” (ECF No. 105 at 1.)

Discovery in this matter closed on March 24, 2025 (ECF No. 77, Amended Pretrial Scheduling Order). Under Federal Rule of Civil Procedure 16(b)(4), a scheduling order may be modified, but only for good cause and with the court’s consent. Fed. R. Civ. P. 16(b)(4).

Mr. MacDermott’s bare allegation of witness tampering lacks any factual support. Moreover, the Court will not encourage the parties to engage in further discovery focused on whether the other party behaved appropriately during discovery. Such sideshows tend to distract attention, time and judicial resources from the core allegations asserted in pleadings and are rarely proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1) (providing that discovery must be “relevant” to the parties’ claims and defenses and “proportional to the needs of the case”). Whether a witness was the subject of tampering is more properly addressed during cross-examination if there is a trial. Mr. MacDermott therefore fails to establish good cause to modify

the Amended Pretrial Scheduling Order and the Court accordingly denies Mr. MacDermott's Motion.

ORDER

Based on the foregoing, and on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT** Plaintiff Troy MacDermott's self-styled Motion to Request to Stay (ECF No. 105) is **DENIED**.

Dated: March 25, 2025

s/ Dulce J. Foster

DULCE J. FOSTER

United States Magistrate Judge